

COMMISSION CONFERENCE**SEPTEMBER 5, 2001****Agenda**
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Present: Mayor Naugle
Commissioners Hutchinson, Katz, Moore, and Smith

Also Present: City Manager, City Attorney, City Clerk, and Police Sergeant

**I-A – Northeast 15th Avenue Roadway Improvements –
Northeast 13th Street and South Fork Middle River**

A presentation was scheduled on the conceptual plan for the installation of medians and a roundabout on Northeast 15th Avenue between Northeast 13th Street and South Fork Middle River (City's corporate limit).

Mr. Dennis Girisgen, Engineering Division, stated that the City Commission had approved a conceptual beautification project for Northeast 15th Avenue that had been developed through extensive public input. However, funding had only become available recently to progress to the detailed design stage. Mayor Naugle asked Mr. Girisgen if there were any changes since the back-up memorandum had been authored. He replied that there were no alterations. Mayor Naugle wondered if there was anyone present who opposed the recommendation.

Mr. Michael Kasten, President of the Poinsettia Heights Civic Association, said he was not opposed to the recommendation, but a median had been designed differently than had been presented to the Association at the last meeting, and he wondered why. He believed the median on Northeast 14th Court had been shown extending across the street to the southbound side. Mr. Girisgen thought that might have been a graphical oversight, and the master plan was to be identical with the Phase I improvements. He noted that adjustments would be made during the detailed design phase of the project.

Commissioner Smith thought it was unfortunate that there was not enough money left for even a single tree. Mayor Naugle thought some of the local real estate companies might be willing to provide some trees, perhaps with little signs indicating sponsorship of the medians. Commissioner Moore did not know about placement of discreet signs, but he supported the planting of trees. He suggested exploration of the Tree Fund for this purpose.

Mr. Kasten agreed there should be some tree coverage, but using the Tree Fund through the City's Urban Forester did not provide for any design. Rather, the trees "came as they were." Commissioner Smith felt that was better than no trees at all. Commissioner Hutchinson believed there was a small selection of species. Commissioner Katz thought some businesses might be willing to donate some trees. Mayor Naugle noted that the Keyes Company was located right around the corner. The City Manager advised that staff would explore the options for trees and tasteful sponsorship signs.

Action: Approved as presented and discussed.

I-B – Weekly Palm Frond Pickup Service

A discussion was scheduled on the weekly palm frond pickup service. Mr. Greg Kisela, Assistant City Manager, believed the back-up memorandum was self-explanatory, and staff had been approached by some neighborhood representatives with regard to a “subscription” type of program. He explained that the individuals who wanted the palm frond service would seek a number of subscriptions through competitive bid and submit the price to the City Commission for approval. Mr. Kisela said his best estimate of the cost was \$3 to \$6 per month, depending on the bids. He advised that this could be brought back to the Commission in November, and notification could be made that the previous service would be discontinued as of October 1, 2001.

Commissioner Smith asked why it was not feasible to simply charge everyone. Mr. Kisela explained this was not really a health issue so it could not simply be added to the bills. He noted that the special assessment process could be used, but staff felt this approach might be a little less onerous. Further, only the benefiting property owners who wanted it would pay for and receive the service.

Commissioner Smith wondered how this would work. Mr. Kisela explained it would be similar to newspaper subscriptions, and the vendor would know who had paid for the service in the same fashion. Commissioner Hutchinson asked if smaller lawn services would be sought. Mr. Kisela stated that bids would be sought and accepted from any company that could provide the service. Commissioner Moore thought this was a good compromise, but he thought this should be handled by the civic association in the Las Olas Isles. He saw no need for the City to be involved. Commissioner Moore pointed out that the Commission had decided to stop the service as of October 1, 2001, and he believed the Las Olas Isles Association could handle this just as it handled security or other measures.

Mr. Derek Anastasia, President of the Seven Isles Association and Chair of the Greater Las Olas Residents Isles, reported that there were 3,187 royal palm trees in the neighborhood, or 2.66 per household. Therefore, this was a need as opposed to a desire. Mr. Anastasia stated that the City did a outstanding job with garbage collection and recycling, and area residents supported staff’s recommendation.

Ms. Charlotte Rodstrom, President of the Nurmi Isles Homeowners’ Association, stated that the Board of Directors was unanimously opposed to the City discontinuing the palm frond collections. She believed the Isles were unique, and that the original developer had made an agreement to plant these trees on City property. The City, in turn, agreed to collect the fallen fronds, although the property owners in the area had watered and fertilized the trees. Ms. Rodstrom felt this service should be continued since the needs of this neighborhood were no different than the needs in any other part of the City. For example, one area might require more police service than another, and one might require more Code enforcement or emergency services than other areas.

Ms. Rodstrom understood that some residents might have been taking advantage of the City's collection program by placing additional waste items, including other types of palm fronds, in the royal palm frond pick-up areas. She stated that the Association did not support those actions and felt the City should cite the offenders. Ms. Rodstrom said that Commissioner Smith had advised this service could continue if additional funds could be identified, and her husband, County Commissioner John Rodstrom, had indicated that the resource recovery bonds had been refinanced and resulted in a savings to the City of \$700,000 per year. She felt this revenue should be given back to the residents by lowering taxes or reducing garbage collection rates.

Ms. Rodstrom found it hard to believe, in light of this information, that the City could not afford to continue to collect the royal palm fronds. She noted that Commissioner Smith had asked the neighborhood to "show him the money," and they were counting on him now. Ms. Rodstrom also asked that the rest of the Commission consider this neighborhood's point of view.

Mr. Bob Hord, Las Olas Isles Homeowners' Association, believed the Commission's decision to discontinue this service had been based upon some financial misinformation. He believed it had started with a consultant's study that indicated the necessary money could be raised through a \$7.50 assessment on area property owners. Rather than do that, the Commission had decided to stop the service. Mr. Hord pointed out that the palm trees were planted in the easements because of deed restrictions. He advised that the neighborhood had sought proposals from yard service companies, and it had been determined that the City's practice of collecting on Saturdays was not very cost effective.

Mr. Hord explained that there were collections on Saturdays immediately following the second Friday of each month when bulk trash was collected. Therefore, the neighborhood had proposed a savings of 25% by eliminating one collection each month. He noted that the cost had been found to be \$3 to \$4 per month if the Homeowners' Association handled it. Unfortunately, a problem arose in terms of who being the employer because if one of the yardmen hurt his back, there were Workmen's Compensation problems. Mr. Hord explained that additional research had been conducted, and it had been found that if the City put it out to bid for all 1,200 residents in the Las Olas Isles area, some economies of scale could be achieved.

Mr. Hord advised that providing collection 3 days per month would cost all the residents \$3 each a month. He stated that everyone had agreed it was fair, and similar methods could be used throughout the City for various needs. Mr. Hord said the latest argument that this could not be done without all sorts of legal notification, assessments, was a new argument that he did not know how to address at this time. However, he felt it was ironic since this entire issue had originated with the idea of a \$7 per month assessment. So, everything had come full circle, but Mr. Hord did not believe having the Homeowners' Association handle it was a reasonable approach. He felt the City should subcontract this service, for which residents were willing to pay a reasonable price, through a negotiated bid in order to keep the City looking beautiful.

Mr. David Kominac, 158 Royal Palm Drive, did not know how the City could provide this service fairly since some homeowners had 3 or 4 trees on the swales, while there were others that had only 1. He stated that he paid to have the trees that belonged to the City fertilized and trimmed, and the Association paid to fertilize them a couple of times per year. Mr. Kominac wondered how the City would address trees that crossed lines between the different associations. He certainly had no intention of paying his lawn service to pick up fronds from trees on City property.

Mayor Naugle asked Mr. Kominac if he was referring to trees on the swale or the median. Mr. Kominac replied he was talking about trees on City property, and there was no median on his street. Mayor Naugle pointed out that everyone, throughout the City, was responsible for maintenance of the adjacent swales. Mr. Kominac said he had paid \$2,800 to replace a tree on City property that had been hit by lightning. Mayor Naugle explained the swales were not exactly on City property in that it did not have clear title. Rather, they were easements on the property owned by the original developer. He noted that situation differed from the situation with the medians.

Mr. Kominac believed the original developer had made an agreement with the City in which he had planted the palm trees, and the City had agreed to collect the fronds. Mayor Naugle said today was the first time he had heard that information, and he wondered if there was any documentation. Ms. Rodstrom based the belief on oral histories provided by people who had lived in the area for many, many years. Mayor Naugle thought someone might be able to locate some information in this regard in the City archives.

Ms. Marsha Goldsby stated that the Lauderdale Manors neighborhood had always been told that the property owners were responsible for any trees in the swales. So, from a District 3 perspective, providing this service in other areas was just unfair. She thought it would even be unfair to use tax dollars to seek proposals, and if one area got such service, all the others would want it as well.

Mr. Ken Cooper did not understand how the fronds were not considered garbage. It had been his understanding that the City garbage trucks had been picking these up since 1960. He pointed out that the fronds often fell in the middle of the street, and a 30' frond was a hazard. Mr. Cooper did not see how the City had suddenly decided, after over 30 years, that these fronds were not garbage like any other.

Mr. Ken Strand, Nurmi Isles, was very unhappy about this fairness issue. He was sure area residents would be happy to pay for this service if they paid the same amount of taxes paid in other areas. Commissioner Moore stated that everyone paid the same amount of taxes based on the assessed value of their properties. Mr. Strand said that residents of this area were paying more money in taxes and receiving fewer services than the average area in the City. He felt that if people were going to have to subscribe for one City service, all City services should be handled the same way.

Mr. Strand agreed that different areas had different needs, and the City provided for those needs. He noted that District I had a community center, for example, but the last time his neighborhood had received anything was when the lights on the bridges had been replaced about 10 years ago. Mr. Strand reiterated that residents of this neighborhood were paying very high taxes, and he did not know what they received in turn. He stated that there had been a collection for Royal Palm fronds only for 50 years, and the City should never have started collecting other items. Mr. Strand felt the City should continue to provide this service, limited only to Royal Palm fronds.

Commissioner Smith said he was in favor of continuing this service. He agreed with his constituents in that different areas had different needs, and this was a need that was indigenous just to this area because of the number of Royal Palm trees in the area. However, he did not think there was sufficient support on the Commission to continue to provide the service without charge. Therefore, he felt Mr. Hord had suggested a reasonable compromise by allowing homeowners to pay for the service with the City managing it. He did not think it was realistic to ask the Homeowners' Associations to send out 1,200 bills and provide Workmen's Compensation insurance, etc. Commissioner Smith felt the City was better equipped to administer the service, as long as the residents paid for it. He supported the continued collections with billing starting in October.

Mayor Naugle clarified that successful bidders would have to provide Workmen's Compensation and Liability insurance if the City sought the bids. He understood Commissioner Smith's first preference, however, was to continue the service as provided in the past.

Commissioner Katz noted that when NCIP projects were performed, trees were planted in swales, and the adjoining property owner was responsible for maintenance. She felt this was the same situation. Further, there were areas with trees in the entryways, and the neighborhood associations had lawn service companies that maintained them. Commissioner Katz understood some associations had insurance and some did not, but everyone seemed to take responsibility. She did not feel the City should manage this when the associations should take responsibility. Commissioner Katz pointed out that people in her District had palm trees and paid a lot of taxes, and they would feel cheated if one neighborhood received this service while others did not. She thought this neighborhood had been lucky to get this service for 50 years, but she felt the City should step back and let the associations handle it.

Commissioner Hutchinson said she had been willing to support the City providing this service at first, but she had been "crucified" for that position at her District meeting. She represented a large portion of the southwest, but she also represented an area in Harbor Beach and Harbor Inlet that could also be interested in this service. Commissioner Hutchinson said she had an open mind, and she was willing to listen if the residents were willing to pay for the service. She was curious as to how much the cost would be for the full 1,200 homes if a contractor provided the services, as compared to 950 homes, for example. She wondered if that information could be obtained informally without going through the formal bid process.

Commissioner Hutchinson noted that people in this area did pay more taxes than others because they lived in larger, more valuable homes. She pointed out that if other people had the money, they would also be living in more valuable homes and paying higher taxes. Commissioner Smith understood Commissioner Hutchinson supported providing the service as long as the residents were willing to pay for it. She agreed that was her position.

Commissioner Moore stated that Workmen's' Compensation was not a problem as the individual companies had to provide that insurance. He said his first feeling was that the neighborhood association should handle this, but he did not object to the City bidding the work, if necessary. Commissioner Moore understood that if bids for this work were sought, the City would have to provide the service for another month. He inquired as to the cost.

Mr. Ed Udvardy, Public Services Department, stated that the City's cost was \$1,100 per week, but an RFP had already been prepared. He advised that there were 1,200 units in the area, but a determination would have to be made as to how many of those would actually be interested in the service. Commissioner Smith thought all 1,200 should be assessed. Mayor Naugle asked if they were all single-family homes. Mr. Udvardy replied that they were single-family, duplexes or triplexes. Mayor Naugle understood that the multi-family condominium units were not considered single units.

The City Attorney advised that staff had felt this was comparable to the subscription service for rolling garbage containers back behind building lines, which was provided as requested for a fee. He had thought there would be difficulty charging fees for this if people said they did not want the service and preferred to use their own lawn service or do it themselves or wait for the bulk collection day. Therefore, he felt it would be most equitable and defensible to provide the service on a subscription request basis.

Commissioner Smith thought this was a "gray area" and preferred to assess everyone \$3 per month. The City Attorney explained that some people might not have Royal Palms in front of their homes or might prefer to handle it themselves, so there could be collection problems. Commissioner Smith suggested a trial period until November, and then staff could determine how many people were not paying the bill. At that time, a determination could be made as to how best to restructure things.

Mayor Naugle thought the estimated expense was overstated. He noted that if the fronds were being removed from the neighborhood, the disposal cost was not reflected in the costs for bulk collection. Thus, it lightened the load on the bulk trash as the trucks were not filled as quickly and fewer trips were made to the dump. He felt it was difficult to get a realistic figure. Commissioner Moore thought the fronds were being disposed of somewhere. He also did not see how this situation differed from someone who did not want to pay for a second garbage collection, but they did, and people paid the full price for a garbage cart even if they only half filled it. Commissioner Moore supported the idea of assessing all 1,200 property owners \$3 per month for this service as a compromise. Mayor Naugle thought there should be some credit on the bulk disposal cost. Commissioner Smith thought that savings would be used to administer the contract.

The City Attorney stated that in the case of sanitation rates, garbage could create health hazards if it was not collected and disposed of properly, which supported case law that trash had to be collected and people paid for the service. In this case, it was a combination of aesthetics and safety, since these particular fronds were large and heavy. Commissioner Moore agreed it was a safety issue if fronds fell on the streets.

Commissioner Smith suggested a 90-day trial period, with billing effective immediately. The City Manager thought it would take about a month to get the process going. He stated that collection could be started in October, but it might take another 30 days to catch up in terms of the building. Commissioner Smith suggested a trial period until the first of the year. The City Manager thought that would be workable, but the billing would probably not start until December. Commissioner Moore felt the bill should be retroactive to November.

Mr. Kisela thought billing could be started on November 1, 2001. Commissioner Smith suggested that the bill for October be sent November 1, 2001. Mr. Kisela thought bids for the 1,200 units could be obtained and a contract award in early October. Mayor Naugle pointed out that if there was another neighborhood with an average of 2 Royal Palm trees per lot, it should also be offered the same service.

Action: Approved as discussed.

I-C – Lien Settlement Process

A presentation was scheduled on the Code enforcement lien settlement process used by the City's Community Inspections Bureau. Having read the written report, Mayor Naugle still felt these should be handled on a case-by-case basis. Commissioner Smith was satisfied with the \$5,000 threshold.

The City Manager understood the consensus of the Commission was to leave the threshold at \$5,000 and continue settlement discussions on a case-by-case basis. Mayor Naugle felt that flagrant violators should be fined in full, while there were probably other situations in which mortgage liens were so great, the likelihood of the City recovering fines was small. Commissioner Smith felt a better job was being done of this than in the past, but the key was to not citing people for violations that were not a priority with the City Commission. Commissioner Moore thanked staff for providing such a well documented report which did not necessitate a great deal of discussion.

Action: Approved as discussed.

I-D – Citizen Presentations

A discussion was scheduled on the status of the trial period for Citizen Presentation items on the Regular Agenda, as requested by Commissioner Smith. Commissioner Hutchinson wished to continue the practice. Mayor Naugle suggested that the Commission continue the practice for another 6 months, but there were a lot of people who wanted to make presentations for Venice Homes. He preferred that be placed on a Conference agenda as a specific item. Commissioner Smith said he had requested it.

Commissioner Katz noted that if people wanted something said, they could come to their District Commissioner who could ask that an item be placed on an agenda. She believed the problem arose if the Commissioner did not agree with a particular issue and did not want to put something on the agenda. Mayor Naugle agreed that anything that was of importance to a Commissioner could be placed specifically on an agenda so staff could prepare. He felt Venice Homes should be put on an upcoming agenda. It was agreed.

The City Manager stated that when the Commission had acted on an official capacity and then someone requested reconsideration, that was when it was suggested that an item be placed specifically on an agenda.

Mr. Michael Kasten, President of the Council of Fort Lauderdale Civic Associations, said his experience with citizen presentations had been that they came at different times during the meeting. He thought it would be helpful if a certain time were established. Mr. Kasten also felt the number of presentations should be increased from 3 to 5, perhaps. He stated that he planned to make a presentation on behalf of the Council every month, so there were currently only 2 other slots available.

Mayor Naugle pointed out that there were not set times for resolutions, public hearings, ordinances, or any other item on the agenda. It all depended upon the work load, and presentations were currently scheduled after public hearings and before ordinances. Mayor Naugle noted that many people watched the meetings on television and then drove over when it appeared the public hearings were ending.

Commissioner Smith was willing to limit individuals to one presentation per month. Commissioner Hutchinson pointed out that presentations were only taken once per month. Commissioner Smith suggested limiting the same people to every other month. Commissioner Hutchinson did not think it was fair to allow the same person to make a presentation every month, and she felt that should be limited to once every 3 months.

Commissioner Moore did not support this concept in the first place but, if it was going to be offered, he did not think the Commission could limit how often an individual appeared. Commissioner Smith was concerned that there might be individuals who were abusive of the process. Commissioner Moore shared that concern, which was why he opposed the overall concept, and people had always had opportunities to express their concerns. He did not see the need for this, and he had observed similar practices elsewhere, but those cities that had these "free for alls" sometimes had real problems with it. Nevertheless, if the Commission was going to allow this to happen, he did not think anyone's ability to take advantage of the opportunity should be limited.

Commissioner Smith did not see anything wrong with controlling any abuses of the process, but he wanted to open the meetings to the rare individual who perhaps did not see "eye to eye" with his Commissioner. Commissioner Hutchinson said she had suggested this idea originally because if someone wanted to speak to the Commission, he had to set appointments with all 5 Commissioners. That was very difficult to do. However, she had not been looking for gripe sessions, and she did not feel this was the appropriate avenue for Venice Homes. She felt that was a matter that should be specifically scheduled. On the other hand, Commissioner Hutchinson did not feel that one individual should be allowed to usurp time at every single meeting because that precluded comments from others.

Mayor Naugle suggested limiting citizen presentations to 5 people and giving preference to people who had not made presentations before. Commissioner Smith thought that was fair. The City Clerk noted that this had been handled on a "first come, first served" basis thus far. She believed it would be somewhat difficult to "bump" someone if a new speaker came forward before the agenda was closed.

Commissioner Moore thought people could make requests to have a subject placed on a Conference agenda for discussion specifically. Nevertheless, he did not mind continuing this practice since the majority of the Commission seemed to favor this approach. It was the consensus of the Commission to continue citizen presentations for another 6 months, on a first come, first served basis. Commissioner Moore suggested to the City Clerk that she inform repeat speakers that they could make presentations if 5 new speakers did not step forward.

Commissioner Katz wished to state for the record that she agreed with Commissioner Moore. In light of current communication tools such as e-mail, she did not feel this was necessary. She pointed out that there were all kinds of ways to communicate with Commissioners.

Commissioner Smith understood Venice Homes would be placed on the next Conference agenda. Commissioner Moore hoped that the developer and representatives of the Housing Finance Authority would be invited to attend. Mayor Naugle asked that Tennis Club representatives also be invited.

Action: Citizen presentations to be continued for 6 months as discussed. Venice Homes to be placed on September 20, 2001 Conference agenda.

I-E – Broward County \$400 Million Parks General Obligation Bond

A discussion was scheduled on the distribution of the proceeds of the \$400 million Broward County general obligation bond (GOB). Mr. Vine Gizzi, Parks & Recreation Department, reported that the Broward County Commission had voted to fund the \$1.5 million Swim Central grant requested by Fort Lauderdale for the Riverland Park project on July 10, 2001. On July 11, 2001, the County's Parks & Recreation Advisory Board had voted to fund the City's top priority Challenge Grant of \$500,000 for Bayview Park. He noted that still had to go to the County Commission for approval, and he expected that to occur in October or November.

Mr. Gizzi stated that there had also been a discussion about funding 89% of the priority two Challenge Grant projects, but not the priority three projects. He noted that the amount set aside for Swim Central grants had been increased by the County due to the importance of those projects. However, requests had exceeded Challenge Grant funding by about \$8 million, so they could not all be funded.

Commissioner Moore asked what the City's number 3 priority Challenge Grant project was that would not be funded. Mr. Gizzi replied that had been the Carter Park project. However, staff had applied for other grants for improvements in Carter Park.

Commissioner Smith noted that the issue of a pool in Riverland Park had gone around and around, with some citizens preferring a community center to a pool. He pointed out that there was an emerging need to address the Swimming Hall of Fame pool, and he wondered if the Commission wanted to reconsider the issue. Neither Commissioner Moore, nor Commissioner Hutchinson wished to reconsider it. Commissioner Moore pointed out that the grant for the Riverland Pool had already been awarded, and there were just a few individuals who were opposed to that project in favor of a community center. Commissioner Hutchinson felt a pool was needed in that area.

Mayor Naugle thought it was ridiculous that every city was receiving \$1 million for land acquisition from the County GOB regardless of size. Commissioner Moore thought it was ridiculous that Fort Lauderdale had supported the bond at all without knowing how the money would ultimately be spent.

Commissioner Smith noted that representatives from other cities, particularly those in the western part of Broward County, had been attending the Advisory Board meetings. He pointed out that land in those locations was less expensive than land in Fort Lauderdale, but he had not been able to "carry the day" in that respect as a Board member. So far, it appeared the County wanted to spend the money where it could get the most land for the money, which was not in Fort Lauderdale. Therefore, unless the County Commission ignored its Advisory Board or Fort Lauderdale took some strong action, this City would not get but pennies on the dollar.

Mayor Naugle suggested that the Public Information Office help get the word out so more people from Fort Lauderdale would attend the County meetings at which this subject was discussed.

At 3:10 P.M., Commissioner Moore left the meeting. He returned at 3:12 P.M.

Commissioner Smith noted that the Advisory Board had come up with a very complicated set of criteria originally, and Fort Lauderdale would not have done very well under that scenario either. He had attempted to include return on taxpayers' investment as one criteria, but the Board had rejected that idea. Nevertheless, Fort Lauderdale would have done better under that criteria than it would do under this new idea.

Commissioner Katz thought it would be a good idea to "pack the room" with voters. Mayor Naugle suggested that the Citizens Volunteer Corps be asked to send faxes, make phone calls, and attend the meeting scheduled for tomorrow. He also felt the Public Information Office should send a press release now for inclusion in the next issue of "Focus." Commissioner Smith asked that tomorrow's meeting agenda be obtained to determine when public input would be taken. He felt an official delegation should be present to speak on behalf of Fort Lauderdale as other cities were doing. Commissioner Katz thought Commissioner Rodstrom should be contacted as well. She pointed out that if Fort Lauderdale received only \$1 million or \$2 million, nothing could be purchased anyway.

Commissioner Smith advised that there were some conservation greenways in the City, and he felt cost figures should be established for those greenways. Mr. Kisela said there about 85 acres of that conservation green space, but it was a challenge placing a value on it without driving up the cost. He also noted that some of the other cities did not have near 85 acres. Commissioner Smith thought it was necessary to know how much of the \$400 million would be coming to Fort Lauderdale in order to argue that the City should get its fair share. He needed a reliable figure, and he thought Fort Lauderdale should receive about \$60 million in projects to be fair. At the very least, due to regional parks out west, he felt Fort Lauderdale should get \$.50 on the dollar, but it appeared only about \$.20 on the dollar would be forthcoming based on discussions so far.

Mr. Phil Thornburg, Parks Superintendent, stated that there were limitations on how green space property could be used, so even if there was conservation green space land, it did not necessarily mean that a park could be built or programming developed. Commissioner Smith asked him if he could add up the assessed value of that land and provide a figure. The City Manager replied that he could provide that information.

Commissioner Moore said there were some properties that were important to reclaim. He pointed out that there were waterfront properties around the African American Research Library, for example, and it would be a shame not to return those lands to open, green use. He felt there should be a push to reclaim land that had been inappropriately zoned and now had buses stored on them and causing all kinds of pollution. He thought it would be irresponsible for the County to indicate that the only way to preserve land was to acquire open, green space, and he felt Dr. Sistrunk's property had to be acquired on the north side of Sistrunk Boulevard. He did not feel there was any excuse for this property not to be acquired with County GOB funds as it met all the requirements. In addition, it had historic value, adjoined waterfront property, and was on the market for sale. Commissioner Moore believed that the only way Fort Lauderdale would get even the resemblance of a return on its investment was if land was reclaimed.

Commissioner Smith said he had made Commissioner Moore's argument to the Board, and another member had indicated that this was not about purchasing failed urban parcels. He felt Fort Lauderdale should argue that it was, in fact, about reclaiming poorly used parcels.

Mayor Naugle asked who was responsible on City staff for making sure Fort Lauderdale got its fair share of the bond issue money by preparing a winning campaign. The City Manager replied that it was a joint effort between this elected body and the Parks & Recreation Department's staff. In fact, a very strong pitch had been made to the County about this City obtaining its fair return with the assistance of the City Commission. He stated that he, Mr. Kisela, Mr. Burkeen, Mr. Gizzi and others from staff would be very much a part of these efforts. Commissioner Katz felt it was important to bring public sentiment to bear so the voters let the County Commission and the Advisory Board know its feelings.

Mayor Naugle agreed such a campaign would be very helpful, and Commissioner Moore felt the Citizens Volunteer Corps (CVC) could help create community sentiment about reclaiming property for green space. Mayor Naugle believed staff had been on the phone for the past 15 minutes contacting CVC members. Commissioner Katz advised that a CVC meeting was scheduled for noon tomorrow. Commissioner Moore felt the members should be armed with the list of priority properties for the Advisory Board meeting. Mr. Kisela said that staff had the Commission's priority list of open space by district that could be provided.

Commissioner Smith wondered if it would make sense to adopt a resolution in this regard this evening to forward to the County Commission. The rest of the Commission thought it would be helpful. Commissioner Moore suggested that each Commissioner make some personal calls to get this campaign going, too. Commissioner Hutchinson pointed out that the County Commission had ultimately done the right thing in terms of the Swim Central grants and funded all the projects despite the recommendation from its Board. Before the resolution was adopted this evening, Commissioner Smith wished to know the assessed value of the conservation green land.

Action: Lobbying campaign to be initiated as discussed.

II-A – Request for Joint Meeting – City of Hollywood

A report was presented on a request from the City of Hollywood for a joint meeting between the two City Commissions. Commissioner Moore suggested that the meeting be held at a Fort Lauderdale restaurant.

Action: City Clerk to schedule meeting.

IV – City Commission Reports

1. Riverside Hotel

Commissioner Smith noted that there was an issue with the Riverwalk connection behind the Stranahan House, and there was an opportunity available in conjunction with the Riverside Hotel expansion to require creation of its portion of that connection. He understood there was an opportunity to have the contractor working on the Hotel also construct the area above the tunnel and the connection behind the Stranahan House to complete the missing link. However, there were differences of opinion on the design, which was causing “gridlock.” He thought the parties could work with EDSA this month so the contractors on site could go forward.

Mayor Naugle suggested a Conference discussion in this regard at the next meeting. Commissioner Smith felt there were some creative solutions, and he believed the Commission should get involved. Commissioner Hutchinson wondered why there had not been a meeting with the District Commissioner first. Commissioner Smith believed the intent was to meet with all the Commissioners. The City Manager agreed Mr. Bentley or Mr. Sheridan were trying to meet with each Commissioner. Commissioner Hutchinson did not recall a request for a meeting.

Mayor Naugle said he had some concerns about the design because he did not want the River narrowed in any way, and there had been some discussion in that regard. He wanted to preserve space for navigation. The City Manager suggested that staff be allowed to go as far as possible with the 3 parties and then bring the subject back to a Conference meeting. Mayor Naugle believed the contractor would be working on the Riverside Hotel for another 8 or 9 months. Commissioner Smith felt there was some urgency.

Action: As discussed.

2. Swimming Facility on the Beach

Commissioner Smith wondered when it would be appropriate to discuss a swimming facility on the beach, regardless of the plans made by the Swimming Hall of Fame. He thought there was some momentum going now, and he felt there should be a state-of-the-art facility in the beach area. Mayor Naugle thought staff could “get a handle” on the possible cost. He thought it might cost about \$10 million to \$15 million, although he recalled a proposal for a new facility at no cost to the taxpayers. However, due to the Commission’s decision, that money would have to be raised, perhaps privately. He pointed out that there would be plenty of room for the swimming facility if the Museum was relocated. Commissioner Smith thought there might be other international swimming entities that might be interested in Fort Lauderdale.

Mayor Naugle did not want to give up this open space since the City had given up the open space on the north side of the bridge. Therefore, he was not interested in seeking proposals for the Hall of Fame site. Commissioner Katz did not even know what the options were since there were deed restrictions on the property. Mayor Naugle believed the deed restrictions on that land were identical to those on the Birch Las Olas parking lot. Commissioner Smith recalled that those restrictions had been relieved in 1989.

Commissioner Katz preferred to defer this discussion until a decision about relocating had been made by the Hall of Fame. She noted that the idea of relocating had not been thoroughly researched yet, so she felt Fort Lauderdale should continue to work with the Hall of Fame in the meantime. If Hollywood and Pompano Beach planned to present proposals, she thought Fort Lauderdale could do the same, and the numbers had not been provided. Commissioner Smith thought retaining the Hall of Fame was everyone's first preference, but he felt there should be a contingency plan in case it was relocated. Mayor Naugle pointed out that there could also be other options, perhaps due to the economy, involving the property on the north side of the bridge.

Commissioner Moore thought the City should encourage the Hall of Fame to relocate. He felt it had insulted Fort Lauderdale enough already, and he felt the City should do everything within its power to take the land and look out for its own interests. He felt it would be in the City's best interest to expand the pool so international events could be held and bring room night visits to Fort Lauderdale. Mayor Naugle was not ready to take that position. Commissioner Smith agreed, but he thought a contingency plan should be put into place. Commissioner Moore wanted to see what money the Swimming Hall of Fame could bring to the table. He believed the international events that generated the room nights would occur with or without the Hall of Fame as long as the facility existed.

Mayor Naugle pointed out that the City had an engineering firm that could assess the property. He noted that the western half of the property was on the waterfront and could be completely redeveloped while the eastern half was still used for swimming. Commissioner Smith thought D.C. Alexander Park would be a great place for a public pool. Commissioner Katz agreed there were a lot of possibilities that needed to be explored.

Commissioner Moore did not want to explore various possibilities until a decision had been made about the Hall of Fame. He did not understand why the City was allowing the Hall of Fame to "pull it back and forth" like this. Commissioner Smith thought it would be reasonable to ask the Hall of Fame about its intentions and expect an answer within a reasonable period of time. Commissioner Moore wanted to know what the Hall of Fame could bring to the table because it was tying up a piece of land that could be used by the City to bring in international swimming events. Commissioner Smith felt the Hall of Fame was the premier swimming organization as long as it played fairly and honestly. Commissioner Moore needed to understand the role played by the Hall of Fame, and he thought it should be able to document it.

Commissioner Smith preferred the Hall of Fame to be the operating entity, but he felt the facility could be improved and marketed for international events. He thought a time should be set within which the Hall of Fame made its intentions known. Commissioner Moore did not know why the Hall of Fame should be the operating entity, and he imagined there were other organizations that could bring events to Fort Lauderdale.

Commissioner Smith suggested that staff provide answers to the questions raised today by "Friday memo." The City Manager understood the Commission wanted an analysis of what was necessary to bring the aquatic facility up to international standards. In addition, the Commission wanted to know the benefit of having an organization like the Swimming Hall of Fame, as well as the benefits that had accrued to the City in the past. He understood the Commission also wondered if there were other sites in the beach area.

Mayor Naugle did not want to explore other sites because the only reason for that would be if there were other development on the existing site. He felt the City needed to keep this open space. Commissioner Smith thought a modest development of some type to help pay for the facility was a reasonable approach. He pointed out that the least dense project had been selected for the property to the north, and he was not ready to absolutely dispose of the idea of some modest development to cover costs.

Commissioner Katz suggested that staff simply examine needs in terms of the swimming facility at this time. Mayor Naugle supported that approach. Commissioner Smith wanted to know if D.C. Alexander Park could be used for a pool and whether or not there might be other entities interested in case the Hall of Fame decided to relocate elsewhere.

Action: As discussed.

3. Palm Aire Village Park

Commissioner Katz understood that the bid request for Palm Aire Village Park had been scheduled for June and wondered about the status. Mr. Pete Sheridan, Assistant City Engineer, stated that bids would go out next week. Commissioner Katz inquired as to the reason for the delay. Mr. Sheridan replied that plan revisions had been necessary during the permitting process, and the work was being donated by the Calvary Chapel's consultant.

Action: None.

At 3:53 P.M., Commissioner Moore left the meeting. He returned at 3:55 P.M.

4. Design of Downtown Projects

Commissioner Katz was concerned that downtown projects were not sufficiently pedestrian- and transit-friendly, and she felt these types of features should be required by the Code. Commissioner Hutchinson thought the 30-day call-up period was something of a joke unless someone could find a conflict with DRC comments.

Mayor Naugle suggested that an outline of proposed Code changes be brought to the Commission for Conference discussion within 30 days. Then the City Attorney could present the matter to the Planning & Zoning Board before formal approval. Commissioner Smith suggested that the City Manager meet with Commissioners Hutchinson and Katz for their input.

Action: As discussed.

5. Human Rights Board Meeting - Discrimination

Commissioner Moore noted that he, Commissioner Hutchinson, and Mayor Naugle had attended a meeting in Miami recently about the reality, or the perception, of discrimination taking place in Fort Lauderdale. He still felt strongly that the City Manager was doing everything he should to bring these issues to closure. Commissioner Moore pointed out that the meeting had basically involved a recap of everything that had been said in this regard in the past, but he did not think the community had a full understanding that there had been and would continue to be change to reduce these realities or perceptions.

Commissioner Moore said that he had prepared a few recommendations in writing. He distributed 7 recommendations. He hoped the City would start reviewing its personnel policies and procedures and initiate any necessary changes. Secondly, he did not want the Equal Employment Officer reporting to this Commission. Commissioner Hutchinson agreed. Commissioner Smith believed his suggestion had been that the ability to hire and fire should rest with the Commission, but the individual would still report to the City Manager. Commissioner Moore felt that was the purview of the City Manager. Commissioner Smith felt the person in that position needed to be more autonomous. Mayor Naugle pointed out that such an approach would require a Charter amendment unless an outside consultant was hired to handle those responsibilities.

Commissioner Moore felt every claim should be investigated no matter the charge, and he wanted findings as quickly as humanly possible. He also wanted those findings to be publicly reported. Commissioner Moore supported mandatory training for everyone who received checks from the City, including the Commission. He also thought there should be a real focus on evaluating the human resources and labor relations offices because there were too many accusations, so he felt the process should be reviewed in totality.

Commissioner Moore asked the City Manager to review his 7 recommendations with the consultant and provide comments at an upcoming meeting. He noted that some of the steps might already have been taken. Commissioner Moore explained that he was raising this matter now because he believed the City Manager had done the right thing in managing these issues, but the public did not perceive the Commission's concern, so he had put it in writing.

Commissioner Moore said that he had asked some very respected leaders in the African American community, including Bill McCormick, of the NAACP, and Don Bowen, of the Urban League, to go over the policies and procedures with him, and they had all agreed to do so. Commissioner Smith hoped the City could also reach out to the Caribbean community. Commissioner Moore concurred Minority Empowerment might be an organization that might want to participate.

Mayor Naugle asked when the consultant would be providing his recommendations. The City Manager replied that he hoped to have something from Mr. Henry Latimer for presentation to the Commission at the first meeting in October. He also hoped any employee who had input would feel free to provide it. After Mr. Latimer's report was released, Mayor Naugle hoped there would be a public forum in the Commission's Chambers with the presence of the elected officials.

Commissioner Smith said that he had seldom been as impressed as he had been with Mr. Latimer. Commissioner Moore felt the same. The City Manager agreed he had a great deal of confidence in Mr. Latimer. He reported that he had also spoken with Mr. Bobby Doctor, who had conducted the meeting last week in Miami, and he would be back on September 25, 2001 to meet with him. Mayor Naugle said he had met briefly with Mr. Doctor in Miami as well.

Action: As discussed.

6. Snyder/Meredith/Windmill Sprinkler Property

Commissioner Moore stated that many of the units on the subject property were detached, although they had been leased by their occupants rather than individually owned, but they had always been platted under one parcel and had one owner. He noted that although the properties had always had an individual owner identity and appearance, they had been subdivided and allowed to deteriorated under the ownership of the Kratenstein group. Commissioner Moore displayed photographs of some of the properties. He felt Community Development staff and the Community Redevelopment Agency Advisory Board should work together to compile resources so the City could start acquiring these properties, particularly since these properties were so close to other areas where investment was being made to further redevelopment efforts.

Commissioner Hutchinson wondered how many units there were, and Commissioner Moore estimated there were 110 units, and he felt a "quick fix" was essential. He believed the properties had been fraudulently subdivided, and he wanted a commitment of money and time to deal with these issues because there were title problems. Commissioner Moore wanted the City Attorney to assign staff or contract some help to start dealing with these properties tomorrow morning.

Mayor Naugle believed the only housing agency that could assist was the Fort Lauderdale Housing Authority. He wondered if these properties could be utilized for relocation of the Lakeview Apartments' residents. Commissioner Moore did not have a problem with that, but the Housing Authority's mandate called for serving individuals with the very lowest of incomes. He was not sure that was appropriate in this area considering the number of units involved.

The City Manager suggested that staff be allowed to develop a strategy for review by the City Commission. He advised that resources could be identified and a team approach taken in conjunction with the City Attorney's Office. Mayor Naugle wondered if there were any State agencies that might be helpful, such as the Housing Finance Authority. Commissioner Moore believed Community Development Department staff had pursued that idea and traveled to Tallahassee. Commissioner Smith thought the City should also reach out to the Governor and Congress.

Action: As discussed.

7. District Picnic in Snyder Park

Commissioner Hutchinson reported that her District Picnic was scheduled for 11:00 A.M. to 4:00 P.M. on October 6, 2001 in Snyder Park, and it had been a big hit last year. She advised that the media would be helping to get out the word, and she encouraged the Police Department to participate with bike registrations. Commissioner Hutchinson hoped the other Commissioners would attend.

Action: None.

V – City Manager Reports

1. Broward Boulevard Streetscape Project

The City Manager reported that a walk-on item would be presented this evening with regard to the Broward Boulevard Streetscape project, from State Road 7 to Northwest 7th Avenue. He distributed Memorandum No. 01-1285 and advised that he had met with County staff during the August recess. He explained that since there were not sufficient resources to address the lights along this stretch of Broward Boulevard, the County had suggested that if the City could install the conduit, the lights could be installed later when funds became available without tearing up the sidewalks. If the Commission supported the idea, the annual installments on the loan payments to the County would be increased from \$83,950 to \$86,971 per year over the next 10 years. It was the consensus to approve a walk-on item this evening.

Commissioner Smith asked him if there had been any success with regard to the Sunrise Boulevard project. The City Manager replied that he was still working on it, and he believed there might be some options.

Action: Walk-On Item to be presented at Regular Meeting.

2. Police Chief Recruitment/Police Department Vacancies

The City Manager reported that he hoped to announce the name of the new Police Chief on September 20, 2001. Commissioner Smith inquired about the status of filling the vacancies in the Police Department. The Police Chief believed that a memorandum had been sent to the Commission on Friday in this regard, although it had apparently not reached them yet. He said he would ensure it was provided this evening.

Action: As discussed.

3. Feeding the Homeless

The City Manager reported that Judge Moriarti had ruled that the Lockhart Stadium site the City had designated for feeding the homeless was unacceptable. Mr. Bud Bentley, Assistant City Manager, noted that the Judge had not indicated why that site was unacceptable so eh would have to seek some advice in this regard from the City Attorney's Office.

Action: None.

OB – Venice Homes

Commissioner Smith wished to announced for the benefit of the public, that the Commission had decided to place the subject of Venice Homes on its September 20, 2001 Conference agenda.

Action: None.

At 4:38 P.M., the meeting was adjourned for an executive closed-door session regarding litigation strategy in connection with the following cases:

- Jill Markham v City of Fort Lauderdale
(Broward County Circuit Court Case No. 01-011725)
- Mark Gianassi v City of Fort Lauderdale
(Broward County Circuit Court Case No. 00-8911[02])

NOTE: A MECHANICAL RECORDING HAS BEEN MADE OF THE FOREGOING PROCEEDINGS, OF WHICH THESE MINUTES ARE A PART, AND IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR A PERIOD OF TWO YEARS.